

FILED
for Roanoke
MAR 18 2011

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

TIMOTHY R. MUELLER,
Plaintiff,

v.

JOHN M. JABE,
Defendant.

) Civil Action No. 7:10-cv-00239
)
)
)

) ORDER
)

) By: Hon. Jackson L. Kiser
) Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that plaintiff's motions for leave to proceed in forma pauperis are **GRANTED**; the defendant's motion for summary judgment is **GRANTED**; all pending motions are **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff and counsel for the defendant.

ENTER: This 18th day of March, 2011.

[Signature: Jackson L. Kiser]
Senior United States District Judge